

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:09CR54
)	
v.)	
)	
JAMES WEEKLY,)	FINAL ORDER OF
)	FORFEITURE
Defendant.)	
_____)	

This matter is before the Court upon the United States' Motion for Final Order of Forfeiture (Filing No. 31). The Court has reviewed the record in this case and finds as follows:

1. On August 13, 2009, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 18, United States Code, Sections 2252 and 2253, based upon the defendant's plea of guilty to Counts I and III of the Indictment filed herein. By way of said Preliminary Order of Forfeiture, the defendant's interest in an e-Machine desktop computer, Serial Number CA74B10018411, Dell laptop computer, Serial Number OD2125-48643-4AS-5958, 1 black Memorex CDR labeled "CP1 Good", 1 Black Digital Audio CDR labeled "C.P.2 OK", 1 silver Maxwell CDRW - labeled by Inv. Haugaard as CD1, 1 silver Maxwell CDRW - labeled by Inv. Haugaard as CD2, 1 silver Imation CDR - labeled by Inv. Haugaard as CD3, 1 black Memorex CDR - labeled by Inv. Haugaard as CD4, 1 silver Sony CDRW - labeled by Inv. Haugaard as CD5, 1 silver Imation CDR - labeled by Inv. Haugaard as CD6, 1 silver Maxwell CDRW - labeled by Inv. Haugaard as CD8, 1 silver Imation CDR - labeled by Inv. Haugaard as CD9, 1 silver Imation CDR - labeled by Inv. Haugaard as CD10, 1 silver Imation CDR - labeled by Inv. Haugaard as CD11, 1 silver Imation CDR - labeled by Inv. Haugaard as CD12, 1 silver

Imation CDR - labeled by Inv. Haugaard as CD13, 1 silver Imation CDR - labeled by Inv. Haugaard as CD14, 1 blue Memorex CDR - labeled by Inv. Haugaard as CD15, 1 black Digital Audio CDR - labeled by Inv. Haugaard as CD16, and digital files and file remnants containing or depicting child pornography or visual depictions of minors in sexually explicit conduct, as defined in 18 U.S.C. § 2256, was forfeited to the United States.

2. Notice of Criminal Forfeiture was posted on an official Government internet site (www.forfeiture.gov) for at least thirty consecutive days, beginning on August 17, 2009, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims. A Declaration of Publication was filed herein on October 22, 2009 (Filing No. 30).

3. The Court has been advised by the United States no Petitions have been filed. From a review of the Court file, the Court finds no Petitions have been filed.

4. Plaintiff's Motion for Final Order of Forfeiture should be sustained. Accordingly,

IT IS ORDERED:

A. Plaintiff's Motion for Final Order of Forfeiture is hereby sustained.

B. All right, title and interest in and to the e-Machine desktop computer, Serial Number CA74B10018411, Dell laptop computer, Serial Number OD2125-48643-4AS-5958, 1 black Memorex CDR labeled "CP1 Good", 1 Black Digital Audio CDR labeled "C.P.2 OK", 1 silver Maxwell CDRW - labeled by Inv. Haugaard as CD1, 1 silver Maxwell CDRW - labeled by Inv. Haugaard as CD2, 1 silver Imation CDR - labeled by Inv. Haugaard as CD3, 1 black Memorex CDR - labeled by Inv. Haugaard as CD4, 1 silver Sony CDRW - labeled by Inv.

Haugaard as CD5, 1 silver Imation CDR - labeled by Inv. Haugaard as CD6, 1 silver Maxwell CDRW - labeled by Inv. Haugaard as CD8, 1 silver Imation CDR - labeled by Inv. Haugaard as CD9, 1 silver Imation CDR - labeled by Inv. Haugaard as CD10, 1 silver Imation CDR - labeled by Inv. Haugaard as CD11, 1 silver Imation CDR - labeled by Inv. Haugaard as CD12, 1 silver Imation CDR - labeled by Inv. Haugaard as CD13, 1 silver Imation CDR - labeled by Inv. Haugaard as CD14, 1 blue Memorex CDR - labeled by Inv. Haugaard as CD15, 1 black Digital Audio CDR - labeled by Inv. Haugaard as CD16, and digital files and file remnants containing or depicting child pornography or visual depictions of minors in sexually explicit conduct, as defined in 18 U.S.C. § 2256, held by any person or entity, is hereby forever barred and foreclosed.

C. The e-Machine desktop computer, Serial Number CA74B10018411, Dell laptop computer, Serial Number OD2125-48643-4AS-5958, 1 black Memorex CDR labeled "CP1 Good", 1 Black Digital Audio CDR labeled "C.P.2 OK", 1 silver Maxwell CDRW - labeled by Inv. Haugaard as CD1, 1 silver Maxwell CDRW - labeled by Inv. Haugaard as CD2, 1 silver Imation CDR - labeled by Inv. Haugaard as CD3, 1 black Memorex CDR - labeled by Inv. Haugaard as CD4, 1 silver Sony CDRW - labeled by Inv. Haugaard as CD5, 1 silver Imation CDR - labeled by Inv. Haugaard as CD6, 1 silver Maxwell CDRW - labeled by Inv. Haugaard as CD8, 1 silver Imation CDR - labeled by Inv. Haugaard as CD9, 1 silver Imation CDR - labeled by Inv. Haugaard as CD10, 1 silver Imation CDR - labeled by Inv. Haugaard as CD11, 1 silver Imation CDR - labeled by Inv. Haugaard as CD12, 1 silver Imation CDR - labeled by Inv. Haugaard as CD13, 1 silver Imation CDR - labeled by Inv. Haugaard as CD14, 1 blue Memorex CDR - labeled by Inv. Haugaard as CD15, 1 black Digital Audio CDR - labeled by Inv. Haugaard

as CD16, and digital files and file remnants containing or depicting child pornography or visual depictions of minors in sexually explicit conduct, as defined in 18 U.S.C. § 2256, be, and the same hereby are, forfeited to the United States of America.

D. The United States Marshal for the District of Nebraska is directed to dispose of said properties in accordance with law.

DATED this 23rd day of October, 2009

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court